



449947

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
07/449,942	12/29/89	RANDUX	

YOUNG & THOMPSON  
745 SOUTH 23RD STREET  
SUITE 200  
ARLINGTON, VA 22202

EXAMINER	
REICHLE, K	
ART UNIT	PAPER NUMBER
	17

DATE MAILED 308

12/18/91

### NOTICE OF ALLOWABILITY

#### PART I.

- ☒ This communication is responsive to supplemental to notice of 8-6-91
- ☐ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
- ☐ The allowed claims are \_\_\_\_\_
- ☐ The drawings filed on \_\_\_\_\_ are acceptable.
- ☒ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☒ been received. ☐ not been received. ☐ been filed in parent application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_
- ☐ Note the attached Examiner's Amendment.
- ☐ Note the attached Examiner Interview Summary Record, PTOL-413.
- ☐ Note the attached Examiner's Statement of Reasons for Allowance.
- ☐ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
- ☐ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

#### PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☐ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
  - ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. \_\_\_\_\_. CORRECTION IS REQUIRED.
  - ☐ The proposed drawing correction filed on \_\_\_\_\_ has been approved by the examiner. CORRECTION IS REQUIRED.
  - ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
  - ☐ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

#### Attachments:

- Examiner's Amendment
- Examiner Interview Summary Record, PTOL-413
- Reasons for Allowance
- Notice of References Cited, PTO-892
- Information Disclosure Citation, PTO-1449
- Notice of Informal Application, PTO-152
- Notice re Patent Drawings, PTO-948
- Listing of Bonded Draftsmen
- Other

RANDALL L. GREEN  
SPE  
ART UNIT 338

Serial No. 07449942

Art Unit 336

An extension of time under 37 C.F.R. § 1.136(a) is required in order to make an Examiner's Amendment which places this application in condition for allowance. During a telephone conversation conducted on July 31, 1991, Robert J. Patch requested an extension of time for 1 month and authorized the Commissioner to charge Deposit Account No. 35-0120 the required fee of \$ ~~42~~<sup>50</sup> for this extension and authorized the following Examiner's Amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

In Claim 28 (Patent Claim 1).

line 17: after "container", insert --without removal of the container--;

line 19: after "cavity", insert --without removal of the at least one fertilized ovocyte from the uterine cavity between fertilization and transfer--.

In Claim 30 (Patent Claim 3).

line 5: delete "comprising" and insert --comprises--.

In Claim 33 (Patent Claim 7).

line 1: before "comprising", insert --further--.

In Claim 35 (Patent Claim 8).

line 3: delete "introduction...out" and insert --container is

Art Unit 338

lodged in the uterine cavity--.

In Claim 64(Patent Claim 9).

line 3: after "mammal", insert --and--;

line 5: before "for", insert --while introduced into and lodged  
in the uterine cavity of the mammal--;

line 8: after "container", insert --means without removal thereof  
from the uterine cavity--;

line 10: after "cavity", insert --without removal thereof from  
the uterine cavity between fertilization and transfer--.

In Claim 37(Patent Claim 10).

line 3: after "container", insert --means--.

In Claim 38(Patent Claim 11).

line 3: delete "portion...container" and insert --means defining  
a portion of the container means--;

line 6: after "the", insert --at least one--

In Claim 39(Patent Claim 12).

line 2: delete "portion".

In Claim 40(Patent Claim 13).

line 2: delete "portion"(first occurrence)

line 3: after "er", insert --means--.

In Claim 41(Patent Claim 16).

line 2: after "container", insert --means--.

line 3: delete "portion".

In Claims 44 and 45(Patent Claims 14 and 15).

Art Unit 338

line 2: delete "portion".

In Claim 46 (Patent Claim 13)

line 3: after "container", insert "--means--".

In Claim 47 (Patent Claim 22)

line 2: after "container", insert "--means--".

line 3: delete "fertilized ovocytes" and insert "--at least one fertilized ovocyte--".

In Claim 48 (Patent Claim 21)

line 3: delete "container" and insert "--the container means--".

In Claim 49 (Patent Claim 23)

line 2: after "container", insert "--means--".

In Claim 50 (Patent Claim 32)

lines 2-3: delete "adapted...introduced" and insert "--sized for introduction--".

line 4: after "cavity", insert "--and for accommodating culture medium, at least one ovocyte and spermatozoa of the mammal while lodged in the uterine cavity for a time sufficient to allow for fertilization of the at least one ovocyte therein--".

line 9: delete "an exit area" and insert "--and means--".

line 11: after "cavity", delete ", said tube, to" and insert "--

for defining an exit area to allow access to the uterine cavity without removing the tube means from the uterine cavity and

Serial No. 07449942

Art Unit 338

P5  
cont

enabling transfer of the at least one fertilized ovocyte from the tube means into the uterine cavity without removal thereof from the uterine cavity between fertilization and transfer--;

line 12: delete "accommodate...spermato-";

line 13: delete "zoa...therein";

line 14: after "expel", insert --the at least one--;

line 15: delete "ovocytes" and insert --ovocyte--.

In Claim 55 (Patent Claim 23).

line 2: delete "is...expand" and insert --expands--.

In Claim 56 (Patent Claim 23).

line 5: before "second", insert --and--.

In Claim 63 (Patent Claim 36).

line 3: after "piston", insert --means--.

Claim 36 has been cancelled.

Claims 28-35 and 37-64 are allowed.



RANDALL L. GREEN  
SPE  
ART UNIT 338



KMR  
July 18, 1991